



PATENT

-1-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) Group Art Unit:
ROBERT H. GRUBBS ET AL.)
Appl. No. 08/693,789)
Filed: July 31, 1996)
For: HIGH METATHESIS ACTIVITY)
RUTHENIUM AND OSMIUM METAL)
CARBENE COMPLEXES)
2001 Ferry Building
San Francisco, CA 94111

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an envelope
addressed to: Commissioner of Patents and Trademarks,
Washington, DC 20231 on 1/23/97
Dated: 1/23/97 By: Diane Shamus
Name

Sir:

Applicants submit herewith patents, publications
or other information [attached hereto and listed on
the attached Form PTO-1449 (modified)] of which they
are aware, which they believe may be material to the
examination of this application and in respect of
which there may be a duty to disclose in accordance
with 37 CFR § 1.56.

This Information Disclosure Statement:

97 FEB -5 AM 11:05
RECEIVED
97 FEB -5 AM 11:05
GROUP 120

- (a) accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.

(d) is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$230) set forth in 37 CFR § 1.17(p) **or** a certification as specified in 37 CFR § 1.97(e), as checked below.

(e) is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) are checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

(f) Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

(g) No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith:

(h) each (i) none (j) only those listed below:

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:

(k) not given

(l) given for each listed item

(m) given for only non-English language listed item(s) [Required]

(n) is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR

§ 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

[x] The Commissioner is hereby authorized to charge our Deposit Account No. 12-1420 for any fees required in connection with the filing of this Information Disclosure Statement. **A duplicate copy of this Notice is enclosed for this purpose.** In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,
LIMBACH & LIMBACH L.L.P.

Dated: 1-22-97

By: Patricia Bengtsson
W. Patrick Bengtsson
Reg. No. 32,456
Tel. No. 415/433-4150

Our File: CTCH-1620 (CIT-2123-4B)